



Australian Government

Department of Education, Employment and Workplace Relations

BSBLEG415A Apply the principles of contract law

Revision Number: 1

BSBLEG415A Apply the principles of contract law

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	<p>This unit describes the performance outcomes, skills and knowledge required to enable a person to assess contractual issues in a legal environment.</p> <p>A range of legislation, rules, regulations and codes of practice may apply to this unit at the time of endorsement, depending on job roles and jurisdictions.</p>
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Application of the Unit

Application of the unit	<p>This unit applies to individuals who apply knowledge of a range of principles in assessing contractual issues. Its application in the workplace will be determined by the job role of the individual and the legislation, rules, regulations and codes of practice relevant to different jurisdictions.</p>
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Determine the nature and meaning of contract	1.1. Access <i>sources of legal information</i> on the nature and meaning of contract 1.2. Distinguish between common law and legislation in contract 1.3. Assess the significance of contracts and contract law in business, and document the outcomes of this assessment
2. Determine the principles of contract law	2.1. Define legal principles governing simple <i>contracts</i> 2.2. Identify and document key elements of a simple contract matter
3. Enhance professional practice through application of relevant principles of contract law	3.1. Assess a legal matter involving contractual issues by applying principles of contract law 3.2. Analyse and evaluate the key issues 3.3. Review analysis with <i>designated person</i>
4. Distinguish between a contract being discharged or breached	4.1. Specify procedures for the discharge of contracts 4.2. List available remedies for breach of contract 4.3. Apply procedures for discharge of contracts to workplace legal matter 4.4. Apply identified remedies to a relevant workplace legal matter

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- literacy skills to read and interpret written material
- research and data collection skills to identify:
 - characteristics, similarities and differences of Australian institutions
 - types of proceedings and trial procedures
- analytical skills to investigate and compare legal institutions and assess simple legal matters related to contract

Required knowledge

- commonly used legal terminology, institutions and main features of the Australian legal system
- methods used to identify appropriate information about sources of Australian law
- nature, aims and rationale of contracts, including agreements, intention to create legal relations, consideration, and capacity to contract
- remedies for breach of contract
- illegal and void contracts
- privacy of contract and assignment of contract

Evidence Guide

EVIDENCE GUIDE	
<p>The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.</p>	
Overview of assessment	
Critical aspects for assessment and evidence required to demonstrate competency in this unit	<p>Evidence of the ability to:</p> <ul style="list-style-type: none"> • demonstrate knowledge of the principles of contract law • apply the principles of contract law • demonstrate knowledge of the steps for the discharge of a contract • demonstrate knowledge of remedies for breach of contract.
Context of and specific resources for assessment	<p>Assessment must ensure access to:</p> <ul style="list-style-type: none"> • legislation and regulations relevant to contract law • texts and background sources of information on contract law in Australia • case studies involving a range of legal matters relevant to contract law • personnel with expert knowledge of contract law.
Method of assessment	<p>A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit:</p> <ul style="list-style-type: none"> • analysis of responses to case studies and scenarios in a range of contractual contexts • tests of knowledge of relevant legislation, rules, regulations and research sources • direct questioning combined with portfolios of evidence • review of authenticated documents from the workplace.
Guidance information for assessment	<p>Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended.</p>

Range Statement

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

<i>Sources of legal information</i> may include:	<ul style="list-style-type: none"> • court library • online information services and websites • organisation's library • precedent bank • specialist texts.
<i>Contracts</i> may include:	<ul style="list-style-type: none"> • commercial and business contracts • contract for services rendered • employment contracts • sale of property.
<i>Designated persons</i> may include:	<ul style="list-style-type: none"> • barrister • legal practice manager • legal practitioner • supervisor.

Unit Sector(s)

Unit sector	
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Competency field

Competency field	Administration - legal administration
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Co-requisite units

Co-requisite units		